



**MINUTES OF THE GILA COUNTY  
BOARD OF ADJUSTMENT**

**Thursday, December 20, 2018**

GILA COUNTY BOARD OF SUPERVISORS CONFERENCE ROOM

610 E. Highway 260, Payson, AZ

GILA COUNTY COMMUNITY DEVELOPMENT CONFERENCE ROOM

745 N. Rose Mofford Way, Globe, AZ

9:00 A.M.

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**REGULAR MEETING**

1. The meeting was called to order at 9:01 A.M. by Mickie Nye (Acting Chairman).
2. Pledge of Allegiance was led by Mary Lou Myers.
3. Roll Call: Therese Berumen did the roll call; Mickie Nye (in Payson), Bill Marshall (in Globe) and Mary Lou Myers (in Payson) are all present. A quorum is present.

Community Development Staff Members Present: Scott Buzan-Director, Michelle Dahlke-Senior Planner and Therese Berumen-Administrative Assistant.

4. Review and Approval of the Board of Adjustment Minutes on November 15, 2018. Acting Chairman Mickie Nye asked if there were any changes needed to the minutes. No changes were suggested. Bill Marshall motioned that the minutes be approved as is and Mary Lou Myers seconded the motion. The motion was unanimously approved.
5. **Director/Planner Communication:** At any time during this meeting of the Board of Adjustment, Director Scott Buzan and/or Planner Michelle Dahlke of Community Development may present a brief summary of current events. No action may be taken.

Michelle Dahlke stated that she had nothing to discuss. Scott Buzan apologized for not being in Payson due to meetings that he had scheduled.

**Public Hearing:**

6. **V-18-02 Julie Griesa:** The applicant is requesting a variance to permit a 30" side yard setback for an exempt structure. Ms. Griesa's property is located at 1058 W. Columbine in Christopher Creek and is zoned General Unclassified with an APN# of 303-10-109.

Michelle Dahlke presented the staff report overview. You may remember this applicant from an appeal that was brought before the Board in August of this year concerning shed #1 and this application is primarily for shed #2. The applicant is unable to attend the meeting this morning. Michelle Dahlke noted that shed #2, from what information they have, has been on the property for about 15 years or more. Shed #2 was already there when the applicant purchased the property. The shed is exempt from any building permits, but it still needs to meet any zoning requirements, which would be property line setbacks. Shed #2 is located 30" from the eastern property line. The applicant contacted a company to see about moving the shed but found out that there are a lot of obstacles in doing that. Michelle Dahlke went over the criteria for granting a variance, that is located in Section 101.3.H of the Gila County Zoning Ordinance. First criteria is

special circumstances applicable to the property, including its size, shape, topography, location, impact to adjoining property uses and destruction of vegetation. There is a creek located to the north of the applicant's property and significant vegetation in the area. Located to the west are some very large pine trees. The property itself is fairly narrow as well. We feel that this meets the first criteria set forth in the zoning ordinance. Second criteria is that it will not constitute a grant of special privilege. Shed #2 was constructed on the property long before the applicant purchased the property and other property owners in the area and within this zoning district have the ability to apply for a variance for a similar circumstance. Third criteria is that the special circumstances applicable to the property are not self-imposed by any person presently having an interest in the property. The applicant did not construct Shed #2 and therefore, this is not a self-imposed hardship created by the applicant. The fourth criteria is that the variance will not allow the establishment of a new use. The granting of a variance will not allow the establishment of a new use because Shed #2 has been in the same location for many years. Staff recommends the granting of the variance because it meets all four criteria. Mary Lou Myers asked if this came about because someone complained. Michelle Dahlke stated that the complaint came from Shed #1 and from that being brought before the Board in August, Shed #2 was also discovered. We tried to get Shed #2 approved through the Administrative Variance process, but the applicant could not meet the criteria.

The meeting was opened to public comment. No public comments. The public comment portion of the meeting was closed.

Bill Marshall motioned that application V-18-02 for Julie Griesa be approved for the 30" side yard setback, located at 1058 W. Columbine in Christopher Creek. The motion was seconded by Mary Lou Myers. The motion was unanimously approved.

7. Voting for Chairman and Vice-Chairman. Mary Lou Myers nominated Mickie Nye for Chairman and Bill Marshall for Vice-Chairman. Both Mickie Nye and Bill Marshall accepted. The motion was unanimously approved.
8. Adjournment. Mary Lou Myers made a motion to adjourn the meeting and Bill Marshall seconded the motion. The motion to adjourn was unanimously approved at 9:11 A.M.